

REMARKS/ARGUMENTS

The number of claims was 20 and as a result of this amendment 20 claims appear in this application.

The Examiner has objected to the abstract of the disclosure under Paragraph 35 U.S.C. § 112 for non-enablement, and has alleged that the disclosure does not provide support for claim 12 presently on file.

Applicant asserts that 35 U.S.C. § 112 requires enablement of a written description included in the specification but does not specify that the abstract of the disclosure must meet the enablement requirement. The abstract of the disclosure of a patent application is for information purposes only and is not required to support every feature of the invention defined in the individual claims thereof. Furthermore, the further amended claim 12 is now fully supported by the Disclosure. Therefore, the Examiner's objection to the abstract of the disclosure should be withdrawn.

The Examiner has rejected claim 12 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner's objection to claim 12 is traversed by further amendment to claim 12 which is positively illustrated in Figure 1 and described in the Disclosure, paragraph [0034].

The Examiner has rejected claims 1-9, 20 and 12 under 35 U.S.C. § 112, second paragraph, as being indefinite for a lack of antecedent basis for the limitation "the round plate" on lines 3-4 of claim 1, and for lack of antecedent bases for "the at least one weight element" on lines 2 and 3 of claim 12.

Claim 1 and claim 12 have been amended respectively to overcome the Examiner-identified defects. Therefore, the Examiner's rejection of claims 1-9, 20 and 12 is traversed.

The Examiner has rejected claims 1-3, 5, 10 and 12-14 under 35 U.S.C. § 102(b) as being anticipated by Martin et al. (US 2,421,514).

Applicant does not agree with the Examiner. The Examiner has misinterpreted Martin's control or regulator 38 as a plate defined in the claims of this application. As a matter of fact, Martin's control or regulator 38 (see Martin's Figure 1 and 2 and column 4, lines 5-10) is a multiple part assembly including a regulator plate 178 with balancing

assemblies 354 having a screw device 356 and a plurality of shims or weight members 358 (see Figures 2 and 9 and column 10, lines 5-13). Martin's control or regulator 38 is affixed with the outboard hub 26 which is mounted to the shaft 14 (see Figure 2 and column 4, lines 5-10). The shaft 14 is one of a pair of oppositely rotating, telescopingly arranged shafts 12 and 14 (column 3, lines 47-52) and a driven gear 476 is mounted to the front end of shaft 14 (see Figure 15). Therefore, Martin et al. do not teach a plate being coaxially attached to the shaft at a forward end of the shaft (neither the regulator plate 178 nor the control or regulator assembly 38 is attached to the forward end of shaft 14).

The Examiner has misinterpreted Martin's pilot pins 58 as the at least one standard fastener engaging only the plate as defined in the claims of this application. However, as described in Martin's column 4, lines 30-34, the pilot pins 58 engage both the periphery of the regulator 34 and webs 54 and 56, rather than engaging only the plate (the regulator 34 is not even a plate, as previously discussed). Furthermore, Martin's pilot pins 58 cannot be recognized as standard fasteners as defined in this application. The Examiner has misinterpreted Martin's web portions 66 as a position element on a rearward surface of the plate for co-axially aligning the nose cone with the shaft, as defined in the claims of this application. In fact, Martin's web portion 66 together with web portion 64 is a part of a mounting system (see column 4, lines 42-47) to mount the spinner section 40 to the hub 26 and regulator 38. Martin et al. do not teach any positioning function of web portion 66 for co-axially aligning the nose cone with the shaft. Martin's web section 66 is not a part of a plate such as the regulator plate 178 and is not defined on a rearward surface thereof.

Martin's screw device 356 and weight member 358 are attached to the rear surface of the regulator plate 178 (see Figures 4 and 9) and therefore, cannot be equivalent to the at least one balance weight element attached only to the member from a forward side of the member, as defined in claim 12 of the instant application. The Examiner is reminded that Martin's Figure 4 is a transverse sectional view through the regulator mechanism as indicated by the line and arrows 4-4 of Figure 2, and therefore shows a rear side of the regulator 38, rather than a forward side thereof.

In conclusion, Martin et al. do not teach all the features defined in the claimed invention of this application, particularly those of independent claims 1, 10. Therefore, the Examiner's rejection of claims 1-3, 5, 19 and 12-14 is traversed.

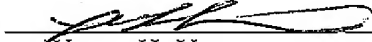
Claims 4, 6, 7, 8, 9 and 20 are now also allowable because the Examiner's objection thereto under 35 U.S.C. § 112, second paragraph is traversed.

Applicant gratefully acknowledges the Examiner's allowability statement regarding claims 15 and 21. However, claims 15 and 21 now depend on allowable base claim 10 and therefore the rewriting requirement should be withdrawn.

No new matter has been added.

It is believed that this application is now in condition for immediate allowance. Favourable reconsideration and early issuance of a Notice of Allowance are respectfully solicited.

Respectfully submitted,

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